

Express Mail No. EV 329 805 317 US
Docket No. 614359/82654

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare: that my citizenship, residence and post office address are as stated below. I believe I am the original, first and sole inventor (if only one is named below) or a joint inventor (if plural inventors are named below) of the invention entitled:

ROTARY ACTUATOR ASSEMBLY,

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in 37 C.F.R 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Date</u> <u>(mm/dd/yyyy)</u>	<u>Priority</u> <u>Claimed?</u>	<u>Certified Copy</u> <u>Attached?</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

<u>Application No.</u>	<u>Date Filed</u> <u>(mm/dd/yyyy)</u>
<u>60/396,602</u>	<u>07/18/2002</u>

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed

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in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application
or PCT Parent Number

Filing Date
(mm/dd/yyyy)

Parent Patent No.
(if applicable)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Bobby B. Gillenwater, Reg. No. 31,105; Gregory S. Cooper, Reg. No. 40,965; William R. Coffey, Reg. No. 24,023; Perry Palan, Reg. No. 26,213; Richard D. Conard, Reg. No. 27,321; Steven R. Lammert, Reg. No. 27,653; Mark M. Newman, Reg. No. 31,472; Richard A. Rezek, Reg. No. 30,796; Dilip A. Kulkarni, Reg. No. 27,510; Jill T. Powlick, Reg. No. 42,088; Arland T. Stein, Reg. No. 28,062; Paul B. Hunt, Reg. No. 37,154; Alice O. Martin, Reg. No. 35,601; Grant H. Peters, Reg. No. 35,977, Thomas J. Donovan, Reg. No. 33,231, Richard B. Lazarus, Reg. No. 48,215, Jeffrey A. Michael, Reg. No. 37,394, Ronald S. Henderson, Reg. No. 43,669, and Shawn D. Bauer, Reg. No. 41,603, and Christopher E. Haigh, Reg. 46,377.

Please direct all communications to the following address:

Barnes & Thornburg
600 One Summit Square
Fort Wayne, Indiana 46802
(260) 423-9440

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

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Date _____ Signature _____

Inventor Glen A. Morr Citizenship U.S.A.

Post Office Address 12506 McDuffee Road, Churubusco, Indiana 46723

Residence Address 12506 McDuffee Road, Churubusco, Indiana 46723

Date _____ Signature _____

Inventor Larry E. Keeling, Jr. Citizenship U.S.A.

Post Office Address 6417 Birchdale Drive, Fort Wayne, Indiana 46815

Residence Address 6417 Birchdale Drive, Fort Wayne, Indiana 46815

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PATENT TRADEMARK OFFICE

BARNES & THORNBURG
600 One Summit Square
Fort Wayne, Indiana 46802
(260) 423-9440
Fax: (260) 424-8316

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.: 23641

Attorney

Docket No.: 614359/82654

First Named

Inventor: Glen A. Morr

Title:

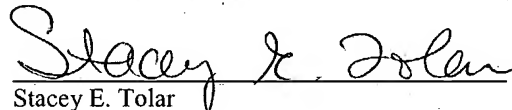
ROTARY ACTUATOR
ASSEMBLY

Certificate Under 37 CFR 1.10

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I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop Patent Application, Assistant Commissioner of Patents, Washington, D.C., 20231

on July 16, 2003



Stacey E. Tolar

STATEMENT UNDER 37 CFR 3.73(b)

PHD, INC., a corporation of Indiana, states that it is the assignee of the entire right, title and interest in the patent identified above by virtue of an assignment from the inventors, Glen A. Morr and Larry E. Keeling, of the U.S. Utility Patent Application Serial Number 60/396,602, filed on July 18, 2002, entitled "Cable Rotary." The assignment was recorded in the Patent and Trademark Office at Reel 013206, Frame 0032.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

Date: July 16, 2003


Gregory S. Cooper
Reg. No. 40,965
Attorney of Record